

Testimony before 1/24/11 Legislative Committee

Mr. Chairman, members of the committee, thank-you for granting us an audience with you today.

My Name is Christina Hill. I am a divorced single mother and a member of Montanan's Supporting Guidelines for GAL's, or MSGG.

I'm here today to share with you some of my experiences with the GAL system in Montana, the way it's currently run.

I have a special needs autistic child who was sexually abused by a member of his father's household, but instead of placing my child with me to keep him safe, my GAL placed my son with his father and the person who abused him. My GAL convinced the judge that, quote, "these concerns have diminished to an acceptable level."

I am not making this up. That is verbatim from the GAL's report and recommendation to the court, a permanent, public court document. I've attached a copy for each of you.

Now, prior to placing my son with his father, the judge had issued **2 orders** placing my son with me, but my ex-spouse objected, and the GAL that court assigned convinced the judge that I, quote, "cannot meet (my son's) needs appropriately," in spite of the fact that I have a Bachelor's degree in Psychology & Human and Family Development, with special emphasis on my son's specific disability.

Over the past 4 years, it has been brought to my attention that my ex-spouse has been using marijuana and morphine, frequently leaving him too incapacitated to drive for shared time, necessitating that I drive the entire distance to Helena and back. It has also come to my attention that the other 2 children in my ex-spouses household have been placed in drug rehab, one of the other children in his house put his fist through a window in front of my son and went to jail for drug possession, and the person who sexually abused my son had a mental health crisis that required hospitalization.

I passed this information on to our GAL and asked him to investigate, but his response to me was, quote, "I would be happy to investigate your concerns when you've paid my retainer."

We were state pay when he was assigned to us, and when those funds were consumed by the GALs, I filed an affidavit of inability to pay, and provided proof that according to federal guidelines, his fees are beyond our ability to pay.

Nevertheless, our GAL convinced the judge to issue a court order **requiring** me to pay him for work he is NOT DOING. What little investigating he did, he acknowledged the drug use and domestic violence in email communication with me, but OMITTED all factual information regarding the drugs and violence in his court report, insisting that it's in my son's best interest to live amongst the drugs and violence, instead of living with me, where no one smokes, drinks alcohol, or takes any street drugs.

I know there is opposition to GAL reform, and some believe that Montana can't afford to implement the necessary changes to make the GAL system truly function in the children's best interests. To them I say, Montana cannot afford to continue with no oversight committee, no grievance procedure, no mandatory training and no accountability for GAL's who have judicial immunity and the convenience of the "no-hearsay clause. The cost right now is being shouldered by Montana's families, and the ultimate price we're paying is the destruction of our children's future.

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1 He has done what he said he would do and has followed the recommendations and requests of Rob's
2 Treatment Team to the letter. David has shown an adequate understanding of Rob's needs and the
3 willingness to adjust his life to meet those needs. He has developed and maintained rapport with the
4 Treatment Team and has made Rob comfortable in his home. Although David shows a slight
5 predilection for somewhat sneaky behavior and seems to delight in creative intellectual superiority, he
6 cares about Rob and gives the impression that he will do what he needs to do in order to create and
7 maintain an environment in his home where Rob will be safe and have the opportunity to progress. I
8 am also convinced that David will maintain connections with Rob's Treatment Team and that he will
9 follow most of the recommendations made by them for Rob.

10 David has addressed the concerns of the former GAL that led to supervised visits for a time
11 and recommendations that Rob live primarily with Christina. These concerns evolved out of the
12 struggles of David's stepson and the questionable interactions between the stepson and Rob. By all
13 accounts things have stabilized in David's home and although vigilance is imperative, these concerns
14 have diminished to an acceptable level. All indications are that David can and will provide the
15 supervision, structure, limits, and support that will be vital to Rob's ongoing success.

16 Christina clearly loves Rob and has tried very hard to provide appropriately for him. It is the
17 consensus of the GAL and Rob's Treatment Team, however, that she is unable to provide a suitable
18 home for Rob at this time. In fact, I have not found a single credible individual, apart from Chris
19 herself, that advocates for Chris to have Primary Residential Custody of Rob. The problems are
20 these: Christina appears to have some significant personality issues which are characterized by a
21 fairly pervasive paranoia. This creates an ongoing system where she has a basic distrust of
22 professionals and family members associated with Rob and makes rapport and team work extremely
23 difficult. These observations by the GAL and other Mental Health professionals in the Treatment